Application No. 09/930,023

Amendment dated August 2, 2004

Response to Office Action of April 5, 2004

Atty. Docket No. 042390.P12239

Examiner Vernal Brown

TC/A.U. 2635

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 11, 18, 25-28, and 33-35 have been amended. Claims 2-4, 7-10, 12-14, 19-21, 29-32, and 36-41 have been canceled, while claims 60-83 have been added. Thus, claims 1, 5, 6, 11, 15-18, 22-28, 33-35, and 42-83 are pending.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1, 11, and 18

Claims 1, 11, and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lopes, U.S. Patent 6,189,105. The applicant, however, submits that Lopes does not anticipate the claims because Lopes does not disclose causing a computer system to enter a *low-power state*.

Amended claim 1 recites:

> ...
>
> a control circuit coupled with the detection circuit to cause the computer system to be in a normal operating state when the user identification device is within the predetermined proximity and to cause the computer system to be in a low-power state when the user identification device is not within the predetermined proximity, wherein transition between low-power and normal operating states occurs without interaction between the user and the computer system.

Amended claims 11 and 18 similarly recite causing a computer system to enter a low-power state.

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Lopes, however, discloses disabling an application program or operating system based on the proximity of a user identification device to the computer (col. 4, lines 25-38). But rendering a program running on a computer system non-operational does not suggest that the computer system itself has changed to a low-power state, for example, by powering down a system component. Lopes also discloses causing the computer to enter a standby mode of operation (col. 4, line 56). However, the standby mode disclosed in Lopes is not a low-power state, but rather "locking out any keyboard entry" until the user is within the predetermined proximity of the computer (col. 4, lines 57-59). Lopes does not provide any specific disclosure with respect to power levels.

For at least the reason that Lopes does not disclose causing a computer system to enter a *low-power state*, the applicants submit that Lopes does not anticipate claims 1, 11, and 18.

Claims 5, 6, 15-18, 22-24, 42, 45, 47, 48, 51, 53, and 59

Claims 5, 6, 15-18, 22-24, 42, 45, 47, 48, 51, 53, and 59 were also rejected under 35 U.S.C. § 102(e) as being anticipated by Lopes. However, each of these claims depends from and includes the limitations of one of independent claims, 1, 11, and 18, and is not anticipated by Lopes for at least the reason set forth with respect to the independent claims.

Claims 25 and 33

Claims 25 and 33 were rejected under 35 U.S.C. § 102(e) as being anticipated by

Kulha, U.S. Patent 5,973,611.

Claim 25 recites:

> detecting when a predetermined device enters a predetermined
> region with respect to a computer system; and
> causing the computer system to boot up in response to the
> predetermined device entering the predetermined region.

Claim 33 similarly recites causing a computer system to boot up in response to a

device entering a predetermined region with respect to the computer system. Kulha,

however, discloses a hands-free remote entry system for vehicles (col. 2, lines 5-31). The

proximity of a user causes a microprocessor to "wake-up to a full operational mode" and

send commands to unlock the doors (col. 5, lines 1-16). However, "wake-up to a full

operational mode" in a vehicle security system does not equate to "boot-up," which refers

to the process of starting a computer from a non-powered state. For at least the reason

that Kulha does not disclose booting up a computer system, the applicants submit that

Kulha does not anticipate claims 25 and 33.

Claims 27, 28, and 34

Claims 27, 28, and 34 were also rejected as being anticipated by Kulha.

However, each of these claims depends from and includes the limitations of either claim

25 or 33. It follows that Kulha does not anticipate them for at least the same reason as set

forth with respect to their corresponding independent claims.

Claim Rejections – 35 U.S.C. § 103(a)

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Claims 26 and 35

Claims 26 and 35 were rejected under 35 U.S.C. § 103(a) as being rendered obvious by Kulha in view of Bates. However, these claims depend from and include the limitations of claims 25 and 33, respectively. Bates is not cited to, nor does it, make up for the deficiencies of Kulha discussed above. Therefore, the applicants submit that claims 26 and 35 are not rendered obvious by the references for at least the reasons set forth with respect to the corresponding independent claims.

Claims 43, 44, 46, 49, 50, 52, 55, 56, and 58

Claims 43, 44, 46, 49, 50, 52, 55, 56 and 58 were rejected under 35 U.S.C. § 103(a) as being rendered obvious by various combinations of Lopes, Atsmon, U.S. Patent 6,607,136, Cash, U.S. Patent 4,616,852, and Jung, U.S. Patent 6,675,300. However, each of these claims depends from and includes the limitations of one of independent claims 1, 11, and 18. Moreover, Atsmon, Cash, and Jung are not cited to teach the argued deficiencies of Lopes with respect to the independent claims. Therefore, the applicants submit that claims 43, 44, 46, 49, 50, 52, 55, 56, and 58 are not rendered obvious for at least the reasons set forth with respect to their corresponding independent claims.

New Claims

Claims 60, 64, 68, 72, 76, and 80

Applicants submit that claims 60, 64, 68, 72, 76, and 80 are patentable over the references because none of the references teach the use of GPS coordinates or timing

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reflection time between a computer and user identification device to determine user proximity to a computer system.

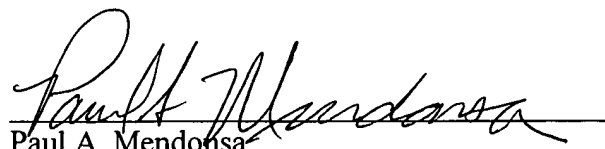<u>Claims 61-63, 65-67, 69-71, 73-75, 77-79, and 81-83</u>

Applicants submit that claims 61-63, 65-67, 69-71, 73-75, 77-79, and 81-83 are patentable over the references for the same reasons as given with respect to their corresponding independent claims, 60, 64, 68, 72, 76, and 80.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1, 4, 11, 18, 25-28, 33-35, and 42-63 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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